# GOULD-GORDON.

Grand Field Day in the Supreme Court.

What Horace Greeley Knows About the Matter.

GORDON'S HISTORY AS RECITED BY HIMSELF.

His Examination and What He Says About Erie Railway Affairs.

JAY GOULD ON THE WITNESS STAND.

How His Unsuspecting Nature Was Played Upon.

**Astounding Contradictory** Narrations.

Yesterday was a field day in the controversy growing out of the motions in the three suits now at issue between Gordon Gordon and Jay Gould, the facts of which have already been published in the HERALD. The case came up for argument in the Supreme Court, Special Term, Judge Brady presiding. Both Gordon and Gould were in attendance, the former being represented by ex-Judge Porter and John H. Strahan, and the latter by ex-Judge Fullerton, D. D. Field, Henry E. Knox and Elihu Root. There was a large attendance in the court room, which remained undimin-ished during the hearly seven consecutive hours, from ten o'clock in the morning, the case occupied the attention of the Court. It will be remembered that at the previous session of the Court when this matter was up for consideration the Judge decided that both of the legal contestants must be examined in open Court. It was this fact of course, and the anticipation of interestingly spley stories from both sides that attracted the large attendance. First in order were read, however, some affidavits rebutting those previously submitted on behalf of Mr. Gould. Among these APPIDAVIT OF HORACE GREELEY.

In this statement Mr. Greeley states that at the time he breakfasted in company with Colonel Scott, he went in and came out with the latter, and heard all the conversation which took place; he did not then, nor at any other time or place, hear Gordon speak of his noble relatives as people of title; he never heard him speak of himself, who he was, or of his relatives who they were. Gordon told Mr. Scott that he was an extensive stockholder in the Eric Rallway Company, and conversed with him as to the condition of the road and as to a change in the management. The addavit concludes as follows :-

ment. The adidavit concludes as follows:—

I am not sure whether it was not after this conversation that the plaintif, Mr. Gordon, in his conversation with me, stated that it would be good polley to continue Gould's connection with the road. When I was examined at the instance of Gould, I was asked by Gould's counsel whether I had ever heard Gordon call or represent himself to be the Earl of Aberdeen, or a Scotch peer, or a member of the House of Lords of Great Britain, or whether I ever heard him state that he had taken his seat in the House of Lords of Great Britain, or whether I ever heard him state that he had taken his seat in the House of Lords of England, when he was only twenty-two years old, as a member thereof, and that he was the youngest member of that body, or any words to that effect, and I answered to these emphatically that I never had; I wish to state further, in reference to one or two of the answers given by me to questions put to me by Mr. Gould's counsel that I never understood from the plaintiff, Mr. Gordon, that he represented any particular class of Eric shareholders, or represented or could control that portion of the shareholders of Eric represented by Heath and Raphaet. He represented that he had a number of friends, foreign stockholders, and that those stockholders he could influence. I never heard him state that he had or represented a controlling interest in the Eric Conjany. All my consultations with the plaintiff proceeded on what I understood to be the fact that the plaintiff did not own or represent the controlling interest in the Company, and that further comceeded on what I understood to be the fact that the plaintiff did not own or represent the controlling interest in the company, and that further combinations were necessary to secure this control. In saying that the plaintiff's ideas were that there should be a perfect reconcillation between the English steckholders and Gould and his party, I mean in using the term "English stockholders generally. I never heard the plaintiff state or represent that he could procure the resignation of a represent that he could procure the resignation of a majority of the directors of the Eric Company. All the plaintiff's arrangements as to the election of a Board of Directors looked forward to the election of a new Board of Directors on the authority of the Legislature. The plaintiff never stated that he was a promoter of the bill providing for a new election, then before the Legislature.

Counsel then read the amdavits of John V. Sears. Heary S. Marsh, Robert Gray, Henry Haig, W. J. Hanlon, and, also, which, from the peculiar interest attaching to the narrative is worth giving in full,

the following

AFFIDAVIT OF GORDON GORDON.

I am not and never claimed or represented invest to be the Earl of Aberdeen, or the younger brother of Lord Gordon and cought to the late Earl of Aberdeen, or a Scottish peer, a member of the British House of Lords. I never to any person stated or represented that I had taken my seat in the House of Lords. England, when I was twenty two years of age, as a member thereof, and that when I took my seat I was the youngest member of that body; nor did I ever state or represent that I had succeeded to any title or estates since I came to this country. To no person in this country have I 'stated any particulars or given any information as to myself, who I was, or my given any information as to myself, who I was, or my remails, or my relations who they are, until this controversey arose with the defendant, day Gould. To my counsel, then, and only to my counsel, have I given such the country was my mather, and with her I lived

person in this country have I stated any particulars or given any information as to myself, who I was, or my ismily, or my relations who they are, until this controversy areas with the defendant, Jav Gould. To my counsel, then, and only te my counsel, have I given such informed, then, and only te my counsel, have I given such informed, of the first marriage. My father I never saw, having been led to believe that he had died in my innacy. He was, as I learned from my mother, a Scottish duke. A short time before the death of my mother I learned that there had been a litigation in reference to my boylood as my precedent on extends, been called and addressed by my mother, relations and acquaintances as Lord Gordon Gordon, or, for abreviation, Lord Gordon—a courtesy title which I used and considered myself entitled to use as the younger son of a duke. This is the name I was known by in Europe.

18 Gordon Harceure Gordon. The Harroout has never been used by was present the man I have signed tamily deeds and in my monogram. I first foam to this country in the summer of 187, when I was twenty done years of age. I remained for shout a year, passing the time principally in Canada, I was during like viet in very isoble health, and it was on ideounly of the my my my my my my my proper to the country and the strength of the sea voyage. I remained there travelling on the Continent, until the principally in Canada, I was during the refer to the United States and Canada, for the greater time in the State of Minnesotta. He aveiling on the Continent, until the spring of 1870, when I returned to the United States and Canada, for the greater time in the State of Minnesotta. Have resided continuously in the United States and Canada, for the greater time in the State of Minnesotta. Have resided to minimal the agreements I have early time in the State of Minnesotta. Have resided to minimal the agreements I have early the by my life and only the my five the company of the property held by me altoad. I have sever add, except Jay Gondon

recipioles I was they making as to the management of the company. He called almost daily as in y foote. He brought me a pass over the Eric Railway which he said he had obtained from 20 years.

I at first refused to accept. He begged me to do as, saying that he wanted to obtain from the had the had obtained from 20 years. I have been always persistent in the patter, agreed, he had not been always persistent in the patter, agreed, he contingly wrote a note to dould acknowledgang the pass and acceptaint the same. This pass I have never used was signed "O. dordon." The note did not please Bedden, and he ured me to write the note Lord Gordon's was signed "O. dordon." The note did not please Bedden, and he ured in the write the note Lord Gordon's told. I did so, writing the acknowledgment on my usual note, paper. This paper I have I because the way in the part of the control of the co

subject then before the Legislature, and
Locking forward to this election, and in order to make
up a party to secure the controlling influence. I did
not hold, and never represented that I had, or could vote,
on a majority of the stock of said company, at said election, or that I was satisfied by my investigation and believed that Gould's management of the railway had been not hold, and never represented that I had, or could vote, on a majority of the stock of said company, at said election, or that I was satisfied by my Investigation and believed that Gond's management of the railway had been who and product, and the could vote as he stated on thirty militions of the stock. I felt he was a power which it would be better to work with than to fight against. The note marked "A." annexed to Belden's affidavit, verified the work with than to fight against. The note marked "A." annexed to Belden's affidavit, verified the most marked "A." annexed to Belden's affidavit, verified the most marked "A." annexed to Belden's affidavit, verified the most marked "A." annexed to Belden's affidavit, verified the most marked "A." annexed to the Harato offlee. On March 12 I read said note, and the article to which it was a reply, in my room, to Gondd, in presence of John. V. Sears. Belden's card was handed to me, when he called on March 23, on behalf of Jay Gould, by Robert Gray, an attendant in said Metropolitan Hotel. I was alone when I received the card. Whitam 8. Patten was not in my rooms at any time on said March 23. The said William S. Patten was the person I sent to Philadelphia on Sunday, March 24, with the letter to my brokers, Messra. Anatin & Oberge, which is set forth in the affidavit of J. Bell Austin, verified 13th May, 1872. That letter was written by me, with the assistance of Belden, in the presence of Patten, who was fully conversant with its contents. Both Patten and Belden continued to visit me at my rooms after the 23d day of March and until I peremoterly ordered them to leave, as I would no longer receive them, I gave Patten money to pay his debts on three different who was fully conversant with its contents. Both Patten and Belden continued to visit me at my rooms after the 23d day of March and until I peremoterly ordered them to leave, as I would no longer receive them, I gave Patten money to pay his debts on three different means. I found the was in debt in mans, I formed

GORDON GORDON EXAMINED.

After the reading of some further affidavits, but

none setting forth any new facts of special interest in the case, Mr. Gordon Gordon was called to the witness stand. He took his place with alacrity, but with no show of nervousness or embarrassment. No one could be more self-possessed. He is a man of medium height, of lithe but compact figure, a ruddy complexion, prominent forchead, dark and straight, but rather sparse hair, dark blue eyes, side whiskers and very white teeth, which, in the absence of a mustache, are prominently conspicatous as he talks. He was neatly but plainly dressed, with no show of jewelry, except a rather conspicatous gold fob chain and massive seal ring on one of his fingers. He was urst examined by Mr. Field.

Q. What is your name? A. My name is Gordon Harcourt Gordon; I have never borne any other name; I was born in Scotland; my father never knew; I decline to answer who may reputed father was; I am a son of my mother; my father died in my infancy; my father was of the family of Gordon; there are several noble families in Scotland by the name of Gordon; I decline to answer to which Gordon familis my father belonged; I was known everywhere as Lord Gordon; I did not deliver my cards in this country as Lord Gordon; I went to the Union League Club with Mr. Beiden; I did not tell him to put my name as the Right Honorable Lord Gordon; that is my title by coursesy; the title "Right Honorable" is used by the younger sons of the peerage; I um not a member of the Privy Council of England; i never told Mr. Beiden that I was in the House of Lords; nor did I recite to him speeches that I had made; I never told him I came to this country on a confidential mission for the Queen; I sent that note (produced) to Mr. Gould; the crest upon it would signify that the writer belonged to a noble family; it would not signify the degree of relationship; the seal on the envelope indicates the same as the crest on the paper; I have never been in Australia; I have now 6,000 in the Eric Rallway Company; on the 1st of March last I had 8,000 shares; they were in New York until this litigation commenced, and, knowing the character of the men I had to deal with I removed them to another State; I never told what propert with no show of not consness or embarrassment. No one could be more self-possessed. He is a man of

nor in England; I have been engaged in an emigration scheme; Judge Bowman, of Illinois, is associated with me; I told Thomas Scott nothing more than that I was a large stockholder in the line; I did not seek an introduction to Mr. Gould; he sought it from me; he sent me a pass over the road by Mr. Beiden; Belden sald that Gould would like to see me in reference to Eric matters in the early part of February; I declined to receive Gould unless he was introduced by some one responsible; Mr. Greeley did not suggest that Mr. Scott should introduce Gould; Mr. Greeley did not want to mix himself up in the matter; Mr. Scott told me he would be responsible for Mr. Gould, and introduced him to me the next day; before Mr. Gould awa me he did not write me a note; I acknowledged the receipt of the pass; he called on me on the second of March; he wrote to me on that day asking an interview; at think I sent a verbal message; that is the note I sent (produced), which was written after the interview; at the first interview Gould's card was sent to my room, and he came up; I was then engaged looking over some papers; he showed me a telegram from Mr. Scott, which he said was his introduction; I told him I thought there was little occasion to have any conversation with him; I told him I thought there was little occasion to have any conversation with him; I told him I thought there was little occasion to have any conversation with him; I told him that Mr. Scott, and that there would be no dividend for twenty years; Gould said that it was not so bad, that he had purposely misied Scott; we then parted, and I said, "Whatever has been said between as will not prejudice matters as between two gentlemen;" on Monday following I found a letter ana a card from Mr. Gould; previous to that time I had no communication with Mr. Scott; I sent an answer to Mr. Gould, arranging for an interview, which took place that afternoon; it was a recapitulation of the affairs of the line; he was anxious that I should ald him with the new board; I told him t

at the same time; he wished me to carry stocks; he said he would

CARRY TWO MILLIONS OF STOCK
for me; I had been warned to look out for him.

Q. I did not ask anything about your warnings.

A. I asked him to put in "puts" and "calls" what he proposed to de; Mr. Belden wrote it out and Gould signed it. The purport of the "call" was that he would deliver me at any time within six months 35,000 shares of Erig stock.

Q. Was it stamped? A. No, sir; it was written on plain note paper; Mr. Scars came in directly alterwards; he saw the "puts" and "calls."

Q. Anything else occur? A. Gould told me of the various things against him; at the next interview I spoke of certain inside conspiracies, of white within six months a present at the fifth interview; Mr. Gould came to me and handed me a parcel containing shares and a letter; the shares are specified in my affidavit; I told him I would like to pay for them; he said that could not be, as he could not sell them without the consent of others. He added that the puts and calls would be worth a million in a short time; I laughed and said I would be glad to get half a million for them; he said he would bring me other familiar with them; he said he would bring me other me other stocks and shares if I wished; he wrote them down; they were stocks and shares. I was not familiar with them; he said he would bring me other stocks and shares and added the figures up, leaving a balance of about \$160,000 due me, which he said he would bring me in currency; in the afternoon he brought me various shares and stocks and \$180,000 in currency; he said this would make the matter straight and took away the puts and calls; I then said I would co-operate with him.

Q. Did you tell him what you could and would do?

A. I told him I could

A. I told him I could

CARRY THE ELECTION.

Q. How much was necessary? A. Forty millions
of stock; I had formed a combination with wealthy

of stock; I had formed a combination with wealthy men.

Q. Mention the wealthy men? A. Horace Clark. Mr. Porter objected to the lise of evidence as immaterial. Upon Gordon's representation that he was the Earl of Aberdeen, that he owned \$20,000,000 of the capital stock of the Eric Railway, Mr. Gould says he entered into negotiations with him.

Another counsel—Upon representation further that he

HELD THE STATE LEGISLATURE

in the palm of his hand.

Judge Brady—It must be a small palm. (Laughter.)
I see no mention of a combination in the papers.

Mr. Field—The allegation is that the election could be carried through the \$30,000,000 of stock owned by himself and \$20,000 owned by his friends.

This looks like a combination.

Judge Brady—I cannot allow anything outside the papers.

papers.
Q. How did you think that \$40,000,000 would carry the election. A I had not given much attention to it.

Q. Had you arranged with any one to contribute shares? A. With Horace F. Clark and Lewis

Roberts.
Q. Mention other names. A. I decline to answer;
I have the same combination now.
Q. How much would these men contribute? A.
Any amount—enough to carry the majority.
Q. You say you own a large number of shares;

A WEALTHY MAN?

A. Yes, sir.
Q. Did you inherit wealth? A. About two hundred thousand pounds sterling; this was in money.
Q. Who did you inherit from. A. My step-father.
Q. Who gave it to you? A. My trustees; altogether I have received from £500,000 to £600,000 sterling.

Q. That all? A. No, sir; I own various shares—
some of the Great Western, for instance.

some of the Great Western, for instance.

Q. Do they stand in your name? A. In my trustees name.

Q. Do they stand in your name? A. In my trustees' name.
Q. Have you received other property? A. Yes, sir, from uncles and aunts.
Q. Have you increased the property? A. Yes, sir, considerably, by investments.
Q. Investments in what?
Objection was made to the question, and the objection was sustained.
Q. Now, about your Eric Railway stock; in whose name do they stand?
This was objected to. The Court held that the present was not a trial, but for the purposes of the

Q. Now, about your Eric Rallway stock; in whose name do they stand?
This was objected 40. The Court held that the present was not a trial, but for the purposes of the motions before him. This was not, the Court said, an examination in chief.
Q. When you dined with Mr. Gould and Mr. Greeley did not you call Mr. Gould aside? A. I remember nothing of the kind.
Q. Give us particulars of the sixth interview with Mr. Gould? A. What was said by Mr. Gould I believe unfounded, and it
IMPLICATES MOST RESTECTABLE GENTLEMEN of the city, and I do not wish to speak of them. Judge Brady—You can leave out the scandal.
Q. Did you ever do a single thing you promised to do for Mr. Gould? A. Yes, sir.
Q. Mention one thing. A. A combination to carry the stock.
Q. What was the combination? Objected to and

the stock,
Q. What was the combination? (Objected to and

Q. Mention one thing. A. A combination to carry the stock,
Q. What was the combination ? (Objected to and sustained).
Q. Does the combination still exist? A. Yes, sir.
Q. Have you made out a ticket? A. I decline to answer that question.
Q. Have you done anything to keep Mr. Gould in office? A. Mr. Gould is out of office.
Q. Was Mr. Gould's name in the ticket on the 3th of March?
Counsel for Mr. Gordon insisted that the other side were putting two faces on the action. They started with the charge that Gordon was a ROVING IMPOSTON and with not a dollar in his pockets. They now assume that he was a man of means, but acted in had faith. Their defence is that this gentleman is a dead blik—an out-and-out blik. It looks now as though this examination was got up for its effect in wall street and to head off any combinations there. Judge Brady—There is no donot of their allegations against him.
Counsel for Gordon further objected to the witness being examined on the assumption of being a man of means. The opposing counsel declare him to be a confidence man, representing himself to be connected in a way he was not and having money he did not have, and that through these representations he mesmerized the unsuspecting Gould. (Laughter.)
Judge Brady said that the object was to discover whether Mr. Gordon carried out his agreement with Mr. Gould. The witness says says he did all he agreed to do. The question was allowed.
A. It was at that time.

Q. Was the board composed of men friendly to Mr. Gould.
This question elicited a lengthy discussion between counsel. During the discussion it was insisted that the affidavit of Horace Greeley confirmed all the statements of Mr. Gordon as to the conversations in his presence. The Judge put an end to the discussion by deciding that it was uniformed all the management of the road? A. Yes, sir, conditionally; nothing was to be done to keep Mr. Gould ye not have a greed upon? A. Yes, sir, conditionally; nothing was to be done to keep and the combination referred to.
Q. Was the combination

Q. Till when? A. Till the robbery by Gould at the Metropolitan Hotel on the 23d of March.

Q. Was the rest of the board friendly to Mr. Gould? (Objection made and sustained.)

Q. Were the names of any English noblemen suggested for the new board of directors? A. No, sir.

Q. You speak in your affidavit of some photographic likenesses of some

EUROPEAN CONNECTIONS,
shown to Mr. Clark—are they in court? A. Yes, sir; I will show them to the Court if it wishes to see them.

Judge Brady—I dont care to see them.

Witheness—I will put them in my pocket, then. (Which he did.)

Q. What was the name of the person to whom you entrusted your property? (Objected to and objection sustained.)

By Mr. Porter—Have you stated fully in your affidavits the substance of your conversations with Mr. Gould? A. Yes, sir.

EXAMINATION OF JAY GOULD.

Mr. Jay Gould was now called and took the place vacated by Mr. Gordon at the witness stand. He was first examined by Judge Porter.

Q. Have you read the affidavits printed in this case? A. Yes, sir.

Q. Is this your affidavit (showing one to the witness of the 2d of March)? A. Yes sir.

Q. Is this your affidavit (showing one to the witness of the 2d of March)? A. Yes, sir.

Q. Is this yours, of the 6th of March (showing an anildavit of this date)? A. I presume so.

Q. Have you any doubt about it? A. That's my signature and so is that to the third affidavit (a third affidavit of his being produced).

Q. As to the first affidavit, do you now sware that each and every of the matters therein stated are true? A. Yes, sir.

Q. Is to see ond affidavit you state that you are Informed so and so by Mr. Belden: is that true?

ny knowledge.
Q. In your second affidavit you state that you are nformed so and so by Mr. Belden; is that true?
A. Yes, sir; what I swore to about puts and calls strue; I sware so now.
Q. You never signed a put and call for Mr. Gould?
A. No. sir.

Q. You never signed a put aug can for air, doctal. A. No, sir.
Q. Did you believe Mr. Gordon to be an allen?
A. I believed him to be what he represented himself to be.
Q. Are you in the habit of employing allens to buy land? A. I employed Lord Gordon—Mr. Gordon.
Q. You believed him to be a member of the British House of Peers? A. Yes, sir.
Q. Mr. Gordon was not a broker? A. Not that I was aware of.
Q. Were you not a broker?

was aware of.

Q. Were you not a broker?

INTERLOCUTORY.

Mr. Field.—I object to the style of the examination, and particularly the tone and manner of the counsel. It is not deferential.

Mr. Porter.—I cannot be deferential.

Mr. Pield—It is not respectful.

Mr. Pield—It is not courteous.

Mr. Porter.—I reserve my courtesy for the Court.

After further remarks the witness answered that he was special partner in a broker's firm.

Q. In whose name did the scrip stand you gave to Mr. Gordon at the Metropolitan Hotel, with which to buy land at Chappaqua? A. I don't remember.

Q. Had those 600 shares been talked over previously? A. Yes, sir; at a dinner party, a day or two previous.

Q. What was the first thing said, and by whom? A. Lord Gordon asked if I would furnish the means to buy the land.

Q. Why do you call him Lord Gordon? A. He represented himself to be Lord Gordon? Mr. Greeley was present and described the lord; Mr. Greeley was solicitous to have some one buy the land who would improve it on the same system as his own home; Gordon called me aside and said, "Mr. Greeley has put his heart on buying this land; now, I can get that land if you will furnish the means; I, in my high position, can make it

A PIESENT TO MR. GREELEY
In such a delicate way that he will not refuse it."

Q. Was this all that was said? A. Yes; we then resumed our dinners.

Q. Was this all that was said? A. Yes; we then resumed our dinners.
Q. How about your next interview with Mr. Gordon? A. I brought him securities with which to buy the land previously referred to and gave them to him, telling him what they were for; he promised to see Mr. Greeley at once about the purchase.
Q. Was that all that was said? A. All.
Q. All that was done? A. All.
Q. When did you see Gordon next? A. On the Sunday preceding the Erie troubles; Mr. Greeley was present; it turned out that Gordon had not gone to see Mr. Greeley, as arranged, about the purchase of the land at Chappaqua.
Q. Yoa took no receipts for these shares? A. No, sir; I took the numbers.
Q. Ever see the land? A. No, sir.
Q. Did you know the price? A. I think there were about a hundred acres, and the price \$200 an acre.
Q. In one of your affidavits you mention that Mr.

Q. Ever see the land? A. No, sir.
Q. Did you know the price? A. I think there were about a hundred acres, and the price \$200 an acre.
Q. In one of your affidavits you mention that Mr. Belden told you of the representations made to him by Mr. Gordon as to his being the

EALL OF ABERDEEN?
A. He told me many things said by this wonderful man.
Q. Had you ever heard of the Earl of Aberdeen before? A. No, sir.
Q. Of Lord Gordon? A. No, sir.
Q. Who wrote the railroad pass you gave to Mr. Gordon? A. It was filled in by my private secretary.
Q. Where were you
INTRODUCED TO MR. GORDON?
A. At the Metropolitan Hotel; I was introduced by a telegram from Colonel Scott; the telegram directed me to send my card to Lord Gordon and conferwith him fully; I went to the Metropolitan Hotel and sent my card to Lord Gordon.
Q. What was the conversation? A. Mr. Gordon was in a state of great indignation; he said that Mr. Greeley and Mr. Scott had called on him; he believed Mr. Scott was playing false and doing it to operate in Wall street; he said he would show Mr. Scott that he could not trifte with him; that he had already taken steps that would bring him on his knees, and that when Mr. Scott came there again he would throw those folding doors open and show him his worst enemy.

Q. Anything more said? A. Mr. Gordon said he had been on my track for a year; he had come here to examine into matters connected with the Eric Railroad, and was satisfied that I was the best man to damage the affairs of the road; he said he was intimate with some of the leading men of the city; "You have seen the attacks in the papers against you," he continued; "all these are written on my table; Mr. Greeley is among my most intimate friends and comes to my room freely; I would not be surprised to see him here at any moment," and, sure enough, there was a knock at the door, and in walked Mr. Greeley is among my most intimate friends and comes to my room freely; I would not be surprised to see him here at any moment," and, sure enough, there was a knock at th

don? A. He spoke of the large amount of stock he could control, he said he owned \$30,000,000 worth of stock himself, and could control \$20,000,000 besides.

Q. What else? A. He told about his income, and said it was \$3,000,000 a year; he mentioned three English noblemen who would likepositions on the Board of Eric Railway Directors; there was a good deal of talk, but it was pretty much in this strain; at other interviews he spoke of the HEATH AND RAPHARL LITHRATIONS; and said he could control them; he said he had got to stop the litigations and control matters at Albany; he asked an assurance from me that I would co-operate with him and Mr. Greeley as to the members for the new Board; he said he had expended over a millon dollars in the master already.

Q. And you believed it? A. Yes; at the time I told him I would give him a guarantee of my good faith; at the next Interview I fold him I would place certain securities of my own in his hands as a pledge of my good faith.

Q. Well, go on with the conversation. A. Mr. Gordon said that was very honorable; at the interview succeeding this I gave him 600 shares of Eric Railway stock; on the following morning I took him the other stock; I went down and have to him; meantime Mr. Gordon had written me a letter—(which was put in evidence (—stating that he had omitted to figure correctly, and asking for \$200,000; I gave him the additional \$40,000 on the 6th of the month.

Q. Give us the particulars of the next interview. A. Mr. Gordon, previous to my seeing him again, wrote a second letter (also put in evidence; the letter expresses approval of the conduct of Mr. Gonla and promises a glorious future for the Eric road under the proposed programme of new rule); I asked him to give me the names of the new Hoard; at the interview on the 9th of March he spoke of arrangements being made with the papers to advocate their policy; he said the had written an horizonal continuity, the loth of March, in dince at that time he spoke of himself as the Earl of Aberdens; on Sunday, the lo

The Sightles Novement;
"That's my movement," said Gordon; "I work through other parties;" the next day I met General

C. Never mind General Sickles, but go on with your interview with Gordon. A. I learned that Gordon had nothing to do with the Sickles movement; he had bromised to send a letter to Mr. Greeley, but did not.

Q. Why did you give stock instead of money to Gordon with which to buy the land at Chappagna A. I did not know the amount of money he would require. I gave him securities ample for the purpose.

require. I gave him securities ample for the putpose.
Q. Yon subsequently swore that Gordon is a roving impostor—do you swear so now?. A. I so
swear.
Q. Who told you about Gordon's alleged swindles
and misrepresentations out West?. A. A. Mr. Patten, cashler of a bank in Providence, R. I. He had
invested in one of Gordon's Western land
sechemes, and showed Mr. Gordon's printed receipt
for the money he had paid him. Wm. S. Beiden
was snother of my informants.
Q. You are a man of large experience in affairs?
A. Yes, sir.

Q. You are a man of arge experience in analys?
A. Yes, sir.
Q. What is your age? A. Thirty-five.
Q. You are a man worth militions? A. I am a wealthy man.
The Judge put a stop to this line of interrogation, and thereupon Mr. Forter turned the witness over to the opposing counsel.
To Mr. Field—Gordon told me that he was the

youngest member of the House of Lords, and that his speeches were listened to with great interest.

Q. What did

do with him? A. He said she sent him on a special mission to Prussia to arrange some matters of diplomacy there.

mission to Prussia to arrange some matters of diplomacy there.

Q. He had an interview with Bismarck? A. So he said, and he told me how Bismarck tried to euchre him.

Q. How was this? A. Bismarck, he said, slipped a valuable pin in his shirt bosom, and he showed the pin, which he said was the identical one placed there by Bismarck.

Q. Anything else? A. He said he had travelled with Prince Arthur in Canada.

Q. Anything said about a royal marriage? A. I don't remember anything being said on this subject.

don't remember anything being said on this subject.

Q. Well, to come to railroad amirs, what did you tell him as to the amount of your interest in the Erle Railway? A. I did not tell him the extent of my interest.

Q. What about directors resigning? A. He mentioned several who were to resign and named new ones to come in, the same to be approved by himself, Mr. Greeley and myself.

Q. You say you never gave him any puts and calls? A. I never did.

To the Court—A put and call for thirty days would be worth about one per cent, and three per cent for six months.

Mr. Field read several letters from Gordon to Gould, all of which were put in evidence.

Q. You have sent telegrams of inquiry about Gordon? Yes, to various parties.

Q. And the answers? A. All were adverse to him.

don? Yes, to various parties.
Q. And the answers? A. All were adverse to him.
Several telegrams were put in evidence; after which Mr. Porter further questioned the witness. The latter stated that Mr. A. H. Barry told him that Gordon was an impostor. Similar information came through Jay Cooke & Co. The witness was further examined on the subject of puts and calls. After which, with the understanding that affidavits could be submitted rebutting the assaults on Mr. Belden's character, the case was adjourned for argument until next Friday.

The following are the more important letters written by Mr. Gordon to Mr. Gould:—
My Drar Sin-Colonel Stoker, who was sent to Sickles,

written by Mr. Gordon to Mr. Gould:—

My Drar Sin—Colonel Stoker, who was sent to Sickles, reported all right. He told him of his danger. I am more than satisfied nothing can come. We have, as I thought you understood, purposely left the prese to follow nearly its own course, knowing that they were ours when the right time was come. We are not file. You are vigilant enough, I know, in your quarter, and I am moving all other powers. Sears will be in waiting on you in case any power has to be met that you can't reach. Nothing could be got from Sickles. In haste, yours, very truly,

My Drar Friunn—The best thing for you, after all, that could have happened! We are working for you, your success is certain, and your position by the means now before us is higher than ever. I felt I must write you a line though you can need no reassurance of my sincerity towards you; nothing will change me, and I feel and know your position is sure, and then what a bright future and triumph over your enemies! Horace Greeley is in real earnest for you and your bill, and nothing will be left undone to ensure success. The Harald is dead on me for having tried to corner Sickles last week, and writes an awful article for me, but this does not shake your friend. We are at dinner and you hard at work. I wish you were with us. Command me at all times, I am at your service. I have sent to Europe and Canada, and know all will be right. Keep up your spirits, and rely on the fidelity of yours, very truly,

### THE SAILOR EARL.

The Case of the Claimant to the Title of "Earl of Aberdeen" Decided by the House of Lords-The Youngest Brother Succeeds to the Title. LONDON, May 4, 1872.

While the American public is entertained with stories about a supposed claimant to the estates of the late Earl of Aberdeen, we in England have had this question brought before us in a more real and prosaic form. The legal members of the House of Lords decide all questions relating to claims to succeed to a title, and their lordskips were yesterday engaged in inquiring whether Viscount Gordon was entitled to call himself "Earl of Aberdeen," on the ground that the latest owner of that title, his elder brother, had been drowned at sea. The case has already been before the Law Lords and a report of the proceedings has been published in the HERALD. When the case first came on for hearing it was shown that the late Earl of Aberdeen had gone to sea under the name of Osborne, and had been drowned The evidence yesterday was chiefly directed towards showing that photographs taken in America of Osborne showed that he and the Earl of Aber deen were one and the same person. The first witness called was the Countess Aberdeen, who de-

posed as follows:—
I am a daughter of the late George Balille, of I am a daughter of the late George Baillie, of Jerviswoode, and was married on the 5th of November, 1840, to George John James, fifth Lord of Aberdeen and second Viscount Gordon (then commonly called Lord Haddo); my husband died in March, 1864; there was issue of the marriage three sons only—the eldest, George, born on the 10th of December, 1841; the second, James Henry, born on the 11th of October, 1845, and the third, John Campbell, the petitioner, born on or about the 3d of August, 1847; I received letters from my deceased son (the late Earl of Aberdeen) from time to time; the last letter was on the 26th of April, 1869. (Her Ladyship produced the letters,) I have got all the envelopes in which they were enclosed but the last, and that that was an enclosure; I also produce a letter received from George by my second son, which has since come into my possession, which is dated March 15, 1867; I wish to be allowed to retain possession of these letters; I have allowed copies of them to be printed.

The Attorney General—As far as I am concerned, Lords, I am satisfied with the copies of the letters so verified by Her Ladyship.

The Countess of Aberdeen—I have only omitted

them to be printed.

The Attorney General—As far as I am concerned, Lords, I am satisfied with the copies of the letters so verified by Her Ladyship.

The Countess of Aberdeen—I have only omitted parts of the letters which refer to private family matters.

Sir Roundell Palmer—I propose now to produce certain photographs of the deceased Earl.

Mr. Watkins was then examined—I am a photographer; I took several photographs of His Lordship; one was taken on the stin of July, 1885, and the other at Wimbledon, when His Lordship belonged to the "Scottish Eight;" he has a rife in his hand; I identify the small photographs from America, but they are bad; there is some change in the face, but not more than I should have expected to find after a lepse of three years; I had known His Lordship previously to my taking his photographs very well.

Lord Chelmsford—It has been suggested to me by my learned friend (the Lord Chancellor) that if there had been any opposition to this claim we should not receive these photographs as evidence. (The several photographs were then handed to their Lordships to examine.)

The Countess of Aberdeen—The photographs taken by Mr. Watkins are photographs of my son George; my son was always inclined to the profession of the sea; he was very fond of children, and of telling them stories; he was fond of making boats when a youth; my son George was a tall young man; he was six feet and one and a half inch high before he left England; he afterwards wrote and informed me that he had grown another half inch. He was a proficient in music and fond of drawing; his father was applied to to get him admitted into the navy, but being over fourteen he was too do to be admitted; he afterwards engaged in a remarkable adventure to go over to France in a small skiff; it was a most dafigerous feat; he started from St. Leonard's and went over to Boulogne, and afterwards returned to Folkestone.

Her Ladyship then proceeded to recognize the late Earl's several writings, books, &c., found in his sea chest on board the H

## THE SIXTH AVENUE SHOOTING AFFRAY.

George Thompson, alias Robinson; Henry Porter and Thomas Troy, arrested by Captain Caffrey, Sergeant James and Detectives McConnell and Frazier in a lager beer saloon in Twenty-ninth street on Monday night last, charged with being implicated in the shooting of Mr. Phelps, the Sixth avenue jeweller, on Friday night last, were arraigned before Justice Ledwin, at the Jefferson Market Police Court, yesterday afternoon. Robert Carson, a clockmaker, residing at 780 Eighth avenue, who was in the house at the time of the shooting, fully identified Thompson as one of the parties he saw leaving Mr. Phelps' house and emerge into Thirty-ainth street. Carson states he selzed the man by the neck as he was going through the hallway, and had a struggle with him. On the neck of Thompson at the present time are several marks which have the appearance of having been made by some person's finger nails. Mr. Palmer, the boarder in the house who grappied with one of the ruillans in the hallway, partially identified Troy as the man who was first discovered by Mr. Phelps concealed under the stairway, on the second floor. Porter, it is said, is an escaped convict from Sing Sing State Prison, and from the facts already in the possession of the police they can bring no defluite charge against him in reference to the shooting, although Sergeant James expresses it as his opinion that he is the party who fired the shot at and wounded Mr. Phelps. The prisoners were locked up to await the result of Mr. Phelps' Injuries. Monday night last, charged with being implicated

Destruction of a Varnish Factory and Dwelling-Two Persons Burned.

Patrick Boden's varnish factory, No. 243 North Ninth street, Williamsburg, was consumed by fire yesterday afternoon, and his residence adjoining was also damaged to the amount of \$500. The fire was caused by a pot of varnish botting over. The entire loss of property will not exceed \$6,000, on which there is an insurance of \$1,600 in the Phonix and \$1,400 in a company, the name of which was not ascertained. While Mr. Boden and his son, John, were battling with the flames they were both painfully, but not dangerously burned.

## THE COURTS.

Validity of the Grand Jury Who Found the Whiskey Indictments—Saved from Arrest in a Civil Suit-Trials and Sentences in the General Sessions-More of the Freed Jail Birds.

UNITED STATES CIRCUIT COURT. The Whiskey Indictments and Legality of the United States Grand Jury. Before Judge Shipman. In this Court yesterday Assistant United States

District Attorney Purdy appeared, and said that the late United States Grand Jury had found a large number of indictments, and he was aware of the fact ber of indictments, and he was aware of the fact that these indictments, or a large number of them, would be attacked by counsel for the indicted persons, on the ground that the Grand Jury finding them had been illegally drawn and empanelled. These attacks would probably be in the nature of either motions to quash, pleas in abatement or denurers, or, perhaps, all these modes might be resorted to by different counsel. Most of the indictments related to the various whiskey sutts which were instituted several years ago by ex-Collector Bailey and others.

Ex-Judge Pierrepont said he appeared for three of the indicted parties, and he had agreed with District Attorney Davis to submit affidavits as to the facts upon which the motion to quash would be based.

Mr. Harlan, counsel for other detendants, said be.

based.

Mr. Harlan, counsel for other defendants, said he was also ready to move that indictments against his clients be quashed.

It was then agreed that the motions should be heard before Judges Shipman and Woodruff at searly a day as possible.

The Case of Henry C. Cole. Henry C. Cole, the alleged accomplice of Miner, who has been arrested for counterfeiting, waived an examination yesterday in the United States Court, and was remanded, to await the action of the Grand Jury. By this course he has saved him-self from arrest by the Sheriff in a civil suit, which has, it is alleged, been instituted to preven him from appearing to testify against Miner.

### COURT OF GENERAL SESSIONS.

Larceny of Pig Iron-Ford, the "River Thief," Sent to the State Prison Sentences.

Before Recorder Hackett. At the opening of the Court of General Sessions yesterday, the trial of Thomas Ford, who was

ointly indicted with Cornelius Mahoney for grand larceny, was commenced. They were charged with stealing, on the 17th of last September, six tons of iron, valued at \$400, from a dock at Piermont, the property of the Ramapo Wheel and Foundry Company. Makoney was previously tried and convicted and sent to the State Prison for five years. While the first witness was being examined Mr. Howe succeeded in persuading Ford to plead gritty, and by so doing he saved himself from going to Sing Sing for five years. The evidence showed that Mahoney was a notorious river thief, and that Ford was only an accompilee. He was sent to the State Prison for two years and six months.

Neille Shannon pleaded guilty to stealing, on the 6th of February, \$191 worth of clothing, the property of Simon Martin, and was sent to the State Prison for two years and two months.

Philip Miller, who was convicted last week of obtaining \$100 from Philip Brown by trick and device and remanded for sentence, was brought up and sent to the State Prison for two years and six months.

James Johnson, who was convicted of assault and battery, was sent to the Penitentiary for one year.

Alleged Highway Robbery—Disagree larceny, was commenced. They were charged with

Alleged Highway Robbery-Disagree-ment of the Jury-Eleven Stubborn

Court on Thursday was an indictment for robbery in the first degree against Frank Duffy and Bernard in the first degree against Frank Duffy and Bernard Lyons. The complainant, Andrew Gonzales, testified that on the 1sth of April, while he was passing through Seventeenth street, between Seventh and Eighth avenues, about dusk, he was tripped by Duffy and fell on the sidewalk, after which he took \$7 from his pocket and ran away. Lyons stood over Gonzales, so as to enable his confederate to escape and then ran away himself, but was pursued and captured by Gonzales and handed over to an officer. When in the custody of the policeman Lyons said he did not take the money, but that Duffy tripped the complainant. Duffy was arrested that night. He was sworn in his own behalf, and said that he and the complainant were under the influence of liquor and that he tripped him accidentally. Duffy's employer and two other witnesses were called to prove his good character, which was rebutted by the prosecution. Two police officers testified that the prisoners associated with thieves who belonged to the "Eighteenth street gang."

The jury failed to agree upon a verdict and were

with thieves who belonged to the "Eighteenth street gaing."

The jury failed to agree upon a verdict and were discharged at a late hour in the alternoon. Before the Recorder took the case from the jury an interesting colloquy ensued between them. It was discovered that one of the jurors knew the prisoner and some of the witnesses he produced to show his good character, and that he would believe them rather than the testimony for the people. His Honor was about to lock them up for the night when, on motion of Mr. Fellows, who said that he would try the prisoners next week, they were discharged.

Prisoners sent to Sing Sing on pleas of

Guilty of Burglary and Larceny

Thomas McClare was jointly indicted with Jo Dillon and James Williamson, charged with burglariously entering the premises of Bradford's steel pen factory, in West Thirty-seventh street, on the 13th of April. Four hundred dollars' worth of property was taken. McClare pleaded guilty and was on Thursday sent to the State Prison for four years. On the same day Emma Schulz, alias Barbara Hartman, a very old woman, upon whom Judgment was suspended two two years since, was arraigned upon another indictment. His Honor sentenced her to the State Prison upon the old charge for two years and six months, her reputation among the police not being good.

Michael Lane, who, on the 4th inst., stole a roll of leather, worth \$40, the property of Godfrey & Sons, pleaded guilty to an attempt at grand larceny, and was on the 16th inst. sent to the State Prison for two years. glariously entering the premises of Bradford's steel

two years.
At the same time William Bennett, who pleaded

At the same time windin Bennett, who pleaded guilty to an attempt at grand larceny, the indictment charging that on the 18th of April he stole clothing valued at \$45 from David M. Tier, was sontented to two years' imprisonment in the Péntentiary.

Frederick H. Estel confessed by plea that on the 22d of April he stole \$67 from William D. Morgan, and was remanded for sentence.

Acquittals. John Delahanty, alias John Ryan, was tried upon

a charge of burglariously entering the liquor store of Michael Fitzgerald, 753 Seventh avenue, on the 16th of April, at which time \$11 85 was stolen. The only evidence tending to implicate the prisoner was two five cent pieces of fractional currency which were found on his person when arrested, and which the barkeeper claimed was in the drawer the night of the burglary. Assistant District Attorney Fellows and the Recorder both agreed in saying that while they were morally convinced of the guilt of the accused they believed the evidence was legally indered a verdief of not guilty.

Nupumocen Popieinski, a Pole, was tried for pointing a loaded pistol at Edward Muller, on the 26th of April, with intent to do him bodily harm, was tried and acquitted. of Michael Fitzgerald, 753 Seventh avenue, on the

COURT OF SPECIAL SESSIONS.

Retrial of Twenty-four Old Offenders

from the Island. In the Special Sessions Court yesterday morning Justices Hogan, Ledwith and Bixby presiding, twenty-four prisoners were disposed of, all of whom had recently been brought down from the Island by Mr. William F. Howe, under Judge Brady's recent decision. From the appended list it will be seen that eight of these malefactors were discharged, and three others had sentence in their cases suspended. The others were resentenced—from ten to twenty days being taken off the original sentence, however, where they plead guilty—or remanded for future trial.

William Blood, petty larceny, sentence suspended. Morris Cohen, petty larceny, sentence suspended. Joseph Geiger, petty larceny, sentence suspended. Joseph Geiger, petty larceny, sentence suspended. James Carroll, petty larceny, sentence suspended. had recently been brought down from the island

ames Carroll, petty larceny, sentence suspended. John W. Commerford, petty larceny, two months. John T. Davis, assault and battery, remanded. Thomas Egan, assault and battery, sentence

Thomas Egab, assault and battery, five months-uspended.

Conrad Eckhard, assault and battery, five months-Mary Fay, petty larceny, one months.
Peter Grant, petty larceny, two months.
Charles A. Hamilton, petty larceny, two months.
Solomon Jacobs, petty larceny, discharged.
Richard Keesler, petty larceny, six months.
Richard Keesler, petty larceny (separate charge).

Richard Keesler, petty larceny (separate charged sischarged.
James Kiernan, petty larceny, remanded.
John Jones, petty larceny, remanded.
James McGrath, petty hirceny, four months.
James Mooney, assault and battery, discharged.
John O'Niel, assault and battery, discharged.
Ann Refly, petty larceny, discharged.
Adam Webber, petty larceny, discharged.
William Clarke, petty larceny, forty-five days.
Joseph Hazel, petty larceny, discharged.

New YORK, May 17, 1872.
The following is the Commission of Appeals day
calendar for Saturday, May 18;—Nos, 375, 400, 401
300, 301, 308, 402, 403, 404, 405, 406, 407, 408, 400, 410.